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PATENT APPLICATION
 ATTORNEY DOCKET NO. AUS9-2001-0372-US1

IN THE
 UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 26 2005

Inventor(s): McBrearty et al.

Confirmation No.: 1470

Application No.: 09/996,125

Examiner: J. Swearingen

Filing Date: Nov. 28, 2001

Group Art Unit: 2145

Title: SYSTEM AND METHOD FOR INDICATING WHETHER A DOCUMENT IS CACHED

Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
 BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, July 26, 2005, rejecting the following claims 1-29.
 The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

() (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

- | | |
|------------------|-----------|
| () one month | \$120.00 |
| () two months | \$450.00 |
| () three months | \$1020.00 |
| () four months | \$1590.00 |

() The extension fee has already been filed in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **09-0447** the sum of **\$500.00**. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **09-0447** pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account **09-0447** under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

() I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
 Commissioner for Patents, Alexandria, VA
 22313-1450. Date of Deposit: _____
 OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number 16711-273-8300 on Oct. 26, 2005

Number of pages: 2

Typed Name: Edmond A. DeFrank

Signature: EDMOND A. DEFRAK

Respectfully submitted, MBINAS 00000011 090447 09996125
 10/26/2005

McBrearty et al. 1401 500.00 DA

By EDMOND A. DEFRAK

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Date: Oct. 26, 2005

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